the Government to provide job to atleast one person from each of such affected families in Rourkela Steel Plant.

(vi) Need to accord early clearance to Nabinagar Thermal Power Project, Bihar

[Translation]

SHRI VIRENDRA KUMAR SINGH (Aurangabad). Mr. Chairman, Sir, Bihar State is facing acute power crisis. Power is supplied only for two days a week to the people resulting in withering away of crops of farmers and closure of small scale industries. Resources of self-employment among the youths are vanishing and normal life of the state is disturbed

To solve the power crisis there is a proposal to set-up a Thermal Power Project with 1000 MW capacity in Nabinagar under my Parliamentary constituency.

Therefore, I urge upon the Central Government to take effective steps for arrangement of power supply at the earliest by sanctioning the proposed Nabinagar Thermal Power Project in public interest.

(vii) Need to set up an LPG Bottling Plant at Jalpaiguri or Siliguri

[English]

PROF JITENDRA NATH DAS (Jalpaiguri) : Sir, I wish to draw the attention of the Government towards the acute shortage of LPG in the Divisional Headquarters, Jalpaiguri.

About 5000 applications seeking LPG connections are pending with the existing dealers. Irregular supply of LPG cylinders to the consumers is creating another crisis in the area which leads to road blocking by the people. The people of the area are very much agitated over these issues This is not only the crisis in Jalpaiguri alone but same situation prevails in all the districts of North Bengal

I urge upon the Union Government either to increase LPG quota to the existing dealers or to sanction more dealership in the area to meet the backlog and defuse the crisis of LPG cylinder supply to the consumers regularly. I also request to set up an LPG bottling plant at Jalpaiguri or at Siliguri at an early date to meet the demand of the districts of North Bengal.

(viii) Need to allocate sufficient funds for early completion of Madras Rapid Transport System Project

SHRI N.S.V. CHITTHAN (Dindigul) : Madras being one of the important metropolitan cities of India should have a circular Rapid Railway Transport System to avoid traffic congestion, maintain the ecological balance and for speedy transportation of commuters and the general public.

The Madras Rapid Transport System (MRTS) which envisaged by the Madras Area Transport Study Unit of Southern Railway during 1968-70 and was cleared by the Planning Commission in 1969 has not yet been completed. The project cost for Madras Beach to Luz Mylepore section was estimated at Rs. 160 21 crore in 1987 and it escalated to Rs. 252 crore in 1996 to cover a distance of 8.79 Km The project has been completed upto Chepauk only and the same has been opened up for traffic.

The second phase between Luz to Vallachery to cover a distance of 10.32 Km. is yet to be taken up. The third phase from Vellachery to Villivakkam and finally from Villivakkam to Avadi via vellachery is to be taken up after completion of the second phase.

I request the Union Government to allocate sufficient funds in the ensuing Budget to speed up the project with a commitment to complete the project at least upto Luz by March, 1977 and the second and third phases to be taken up immediately for execution.

15.09 hrs.

STATUTORY RESOLUTION RE : CONTINUANCE OF PROCLAMATION BY PRESIDENT IN RELATION TO THE STATE OF JAMMU AND KASHMIR

[English]

THE PRIME MINISTER (SHRI H D DEVE GOWDA) I beg to move :

> "That this House approves the continuance in force of the proclamation dated the 18th July, 1990 in respect of Jammu and Kashmir, issued under Article 36 of the Constitution by the President for a further period of six months with effect from the 18th July, 1996"

Sir, the President's rule in Jammu & Kashmir is coming to an end on 18th July, 1996 and we want its extension for a short duration Though we are asking for extension for a further period of six months, I would like to make it amply clear to this august House that the Government has already taken a decision to hold election as early as possible. In this

connection I have discussed with almost all the Opposition leaders and they have also agreed for extension to the President's rule in Jammu & Kashmir for a short duration.

One of the issues raised in the meeting with the Opposition leaders was about certain defects in the voters list. We have issued instructions to the authorities to see that summary revision can be made within a short period of one month. The other apprehension expressed by some of the political parties was about conduct of a free and fair election. Sir, I would like to compliment the Army and the Administration. They tried their best to conduct a free and fair election during the Parliamentary election. I will be failing in my duty if I do not compliment the Army people as well as the local administration and the Election Commission.

Sir, whatever little defects are there in the voters list, those are going to be set right in the summary revision. Nearly two lakh forms were distributed and more than 12000 people returned their forms with their addresses for registration.

Sir, I have recently visited Kashmir. There also all the local political party leaders have agreed to holding of election as early as possible. People in the valley, in a nutshell I can say, want peace. Peace can come only through holding of early election.

Sir, some people have raised the autonomy issue. In our Common Minimum Programme also, we have mentioned about the autonomy issue. I would like to again assure this House and also the other political parties who represented to me during my visit to Kashmir about what I said earlier. On that day I made it clear that it was better to have a discussion with the elected representatives of the new government so far as the autonomy issue was concerned Sir, I am happy to inform the House that they have all agreed to it.

In this connection I do not want to make a long speech. Even though we have asked for six months' extension, most probably the election will be held sometime in September or before the end of the first week of October. The date has to be finalised by the Election Commission I have made it clear during the discussion with the Opposition leaders on the 8th of this month that this is the purpose of extension of the President's rule for six months. I can assure the House that the election will be conducted as early as possible The date has to be decided by the Election Commission in consultation with the Central Government. I cannot announce the date I will only assure that the election will be conducted as early as possible, if possible in September itself. With these words I request this august House to give its approval to the Resolution.

MR. CHAIRMAN : Motion moved :

> "That this House approves the continuance in force of the proclamation dated the 18th July, 1990 in respect of Jammu and Kashmir, issued under article 356 of the Constitution by the President, for a further period of six months with effect from the 18th July, 1996".

Hon. Members, the Statutory Resolution is moved. Three hours are allotted for discussion on this.

15.15 hrs.

SHRI JAG MOHAN (New Delhi) : Thank you, Sir, for giving me this opportunity. In the circumstance indicated by the hon. Prime Minister, I endorse the proposal of extension of the President's Rule But the point which I would like to emphasise is that lot of things are being said about Jammu & Kashmir without understanding the dangerous implications of those statements.

Hon. Defence Minister went to Jammu & Kashmir. He said, "Shortly, we are going to introduce a Bill in the Parliament to give maximum autonomy to Kashmir." Hon. Home Minister made a statement that "if we want to retain Kashmir—Mark the words, if we want to keep Kashmir—we will have to give the autonomy" Look at the attitude of surrender. The Defence Minister says something, the Home Minister says the entirely different thing and now the hon. Prime Minister is saying something entirely different that 'we would consult the legislature.'

I wonder whether the background of the case has been adequately explained to the hon. Prime Minister; whether he knows in what circumstances the so-called autonomy was given. First, I think, the very fact that you have said is 'maximum autonomy'. What does it mean? I would challenge the other Benches to explain this to me.

From the very beginning, I would like to throw this challenge to those who have quoted maximum autonomy in the Constitution, to tell me what item to they want to add to the existing items which the State Government enjoys. Tell me one item. I am asking all those hon Ministers, very experienced, to tell me one item that they want to add. Please, if you cannot tell me now, consult your officers that these are the items that we want to add to the existing situation.

In fact, the problem of Jammu & Kashmir has been not the absence of power but the surfeit of power. Article 370 has been misused not to serve the people of Kashmir but to burn them and it is the common man who suffered because of Article 370. I am not saying it purely as a political point, it is not a political point. I am saying it from my operational experience of Jammu and Kashmir. For six years, I had the occasion to serve this State. Article 370 has been used as a protective shield by the vested interests to build a corrupt and callous oligarchy in Kashmir, of small coterie of bureaucrats, of politicians, of some other vested interests in business and trade and this has harmed the people of Kashmir immensely.

Now what is the maximum autonomy that has been talked about? Do you know the background of what it was? Unfortunately, for this country the hasty declaration was made at the time of accession that of some sort of united plebiscite, we all know about it, I do not want to repeat it But the fact remains that after 26th January 1950, Article 1 of our Constitution defines the territory of Jammu and Kashmir and made it an unalterable part of the Union of India Thereafter, some working relationship had to be built between the State and the Union.

Certain discussions took place between the representatives of the State and the representatives of the Central Government and an agreement, what is loosely called 'Delhi agreement', was arrived at There is no such agreement really Two statements were made; one by the then hon Prime Minister, Pandit Jawaharlal Nehru in this very House and the other by Mr Sheikh Abdullah on the 11th August 1952 in the State Constituent Assembly Now, what was the agreement? There were certain things which were agreed to by the Union and certain things were agreed to by the State For instance, it was decided that the hereditary rulership of the Maharajas would be abolished. At the same time it was agreed that certain provisions of the Indian Constitution will be extended to Jammu and Kashmir There are other provisions; working relations had to be fixed, financial integration had to be done; the customs duty had to be done away with and so many other things. I do not want to take the time of the House in giving the list of those cases. But, at that time, Mr. Sheikh Abdullah, taking advantage of the Indian declaration about the so-called plebiscite, carried out those things which suited him but did not carry out the things which were required, under that very agreement, to be done

From Panditji's any number of announcements, you can see that he was disappointed with the attitude of Mr. Sheikh Abdullah. Mr. Sheikh Abdullah at that time started blackmailing. He went on raising his demands because somehow or other he got the impression that India had made a mistake about plebiscite and so it cannot do anything; if anything was done in Jammu and Kashmir, they had to keep him in a happy state; and they went on agreeing. So, it was under that situation certain things were held up. And Mr. Sheikh Abdullah was ultimately dismissed because of the conspiracy, which we all know. There are written documents that he was hobnobbing with the Americans for carving out independent Sheikhdom in Kashmir. You see Lloyd Anderson's paper. They are the records made at that very time in 1952-53. You see Adli Stevenson's documented paper in the American Library. They all indicate that he was hobnobbing and as early as 30th January, 1948, there is a record given by one Mr. Jane Austen He says that after discussion with Mr Sheikh Abdullah, he has come to the conclusion that he is for independent Kashmir, he is vigorously for this So, he had it always behind his back That is why, he did not introduce certain provisions of the Indian Constitution And when he was dismissed, removed, the State Assembly was there, the Constituent Assembly was there They passed all the Resolutions and certain extensions were carried out. In 1954, a Constitutional Order was issued by the President under our Constitution extending certain provisions of the Indian Constitution to the State of Jammu and Kashmir Financial integration was done in 1954 Census were introduced in 1957 or 1958. All India Services were extended The jurisdiction of Comptroller and Auditor General was extended Election Commission's jurisdiction was extended But the law of the State still prevails He had to do that. Similarly, certain jurisdiction was given to the Supreme Court The nutshell is that everything was agreed to by the State Government A regular Constitutional Order was passed I am not going on technicalities. These are the nuts and bolts of the practical reality You have to run the State

You have to have the administrative system You have to have a working relationship with the State and the Centre About the 1975 agreement, I shall come to it later on.

But the point today is that the State has all the reserved powers with itself. It has the concurrent power with itself It is only the above extensions that have been carried out with the full concurrence of the State Government, They are there Now the question that arises is, what are those extensions which we are being objected to? Who is making this

noisy statement, 'bring back 1952,' 'bring back 1953?' This is all wrong. This is disinformation. What was the position before 1952-53? For instance, there was financial integration. Now, do you want that there should be no financial integration between Jammu and Kashmir and the Union of India? Do you know what is the resource of Jammu and Kashmir? The entire hundred percent money of the Plan and 40 percent to 60 percent of the non-Plan money is given by the Union Government. Now if you have no financial integration, if you only revert to what is called Defence, Communications and External Affairs, there will be no money for development in Jammu and Kashmir. You will have to retrench 60 percent of the staff straightaway. Has anyone talked about these implications what we are talking about?

I have these figures with me from my own article which I wrote which show to what extent Jammu and Kashmir has benefited from the financial integration since 1954. And I would like, particularly, Mr. Paswanji, to listen to the figures of Bihar as compared to Jammu and Kashmir. This is according to the Reserve Bank Bulletin of October 1994. The per capita Central assistance for the year 1993-94 was 2291 for Jammu and Kashmir as against 192 for Bihar. Just compare the figure of 2291 to 192 for Bihar, 223 for Tamil Nadu, 304 for Rajasthan and 331 for U.P. In case of Jammu and Kashmir, 90 percent of the assistance is in the shape of grants, 10 percent as loans, while for the four States I have mentioned, it is 30 percent grant and 70 percent loans. Likewise, the per capita Non-Plan grant for Jammu and Kashmir in the same year comes to 699 while it is 64 for Bihar, 26 for Tamil Nadu, 73 for Rajasthan and 20 for U.P. Now, the question is, to this extent, the benefit of financial integration is there. And if you revert to what is called 1952 position, you will have to stop there. Now if today 'well, we shall continue to give the money; we shall continue to have this integration, but for rest of the laws, let them do what they like.' Will it be fair?

The other question is, tomorrow, if the civil law is with them; if the criminal law is with them and if they say that they will introduce Shariat, that they will have the same criminal law as is applicable today in Pakistan, will the Indian tax payer or the Indian Union finance a State, a theocratic State, against our secularism, our constitutional goals, our Preamble? Then will you go on financing them? Have we gone deep into these contradiction? If we have, then we have to have the financial integration, then we have to have the constitutional norms and principle of those integrations. There is, therefore, total lack of understanding. And what is being done? I have always held it is a political culture of superficiality that has created all the problems of Jammu and Kashmir.

It is this superficial approach, inability to go into the depth, that has caused the problem. I will give you one more instance about Article 356. People ask why Article 356 was extended. Well, if Article 356 was not there we would not have been able to deal with insurgency at all! What is the alternative we have? Now all the powers are with them and how are the powers being used? I will give you an account of it.

The problem which I was dealing with was that lot of problem has been created because of these increases, because of surfeit of power, because of excess of power. Now, we had this anti-defection law. The anti-defection law should have been a very good law for J and K. It is rational. It should have been extended to Jammu and Kashmir. A simple letter was sent to the Jammu and Kashmir State Government. "Kindly give the consent so that it is applicable. How does it harm the Jammu and Kashmir people if such a law is extended there? Now the vested interests there said "No, no, we will not extend it. We will make our own law" And what was the law made? The law made was that the party chief would decide who is a defector, not the Speaker, but the party chief will decide! What does it mean? What were its implications? That the party chief is the sole authority in Kashmir. He will decide who will be the Minister, he will decide who will get the ticket, he will decide everything and if anybody wants to say something against, or wants to deviate and say that you are doing something wrong it is that very gentleman who will decide the fate of the person who questions. So, it is establishing a sort of an elective dictatorship. So, under the guise of Article 370, under the guise of these powers a sort of an elective dictatorship was established by vested interest. An oligarchy was established and that oligarchy developed a vested interest of speaking against India; because that was the only way they could survive in power. They never did anything solid there and whenever anything solid had to he done there, they could easily say that there was frustration among the people and they could divert against them. That will raise this issue of personality identity and *infradiat Shaksiat*. What are these real questions?

If the jurisdiction of the Supreme Court is extended in certain matters does the common man

get a better law or a worse law, worse justice or better justice? If the Comptroller and Auditor General's jurisdiction is extended it is the audit and accounts which he is doing. How is the *infradiat Shaksiat* of a common person affected by this? When we are giving the money should it not be audited? Who is going to be affected adversely by it.

Nobody has applied his mind to any of these questions. I have said in the very beginning I asked one question. Tell me, one thing. Do you want there the extension or do you not want to extend the jurisdiction of the Election Commission or not? What is wrong with just supervision only? What is it that you say that those people have got which you want to add to?

I remind you historically. Now I come to the 1975 Agreement. After the Bangladesh question was settled, Sheikh Abdulla wanted to come back, there was discussion and the 1975 Agreement was entered into.

Please listen to what Shrimati Gandhi told Sheikh Abdulla. She said that the talks could not be put back as all these were all justified extensions. When Sheikh Saheb went on saying "It has been done in my absence", she said, "What? What is this 'in your absence'? The Agreement is with the State Government, everything is done with the concurrence of the State Government, not with the individuals. Anyhow, all right, if you have any proposal, send it on to me."

I would request the hon. Home Minister to kindly listen to this point that Mirza Afzol Beig on behalf of the Sheikh Sahib and Shri Parthasarathy on behalf of Shrimati Indira Gandhi were given this duty.

All right. If there is anything which is not in the interest of the Kashmiri people, we are willing to look at it again, but nothing was found which was not justified. Sheikh Saheb said All right, I want a little more time. He got the Chief Ministership and went back there. Another Committee, which was called the Cabinet Committee headed by Mirza Afzal Baig, was set up. The Committee went on deliberating. Sheikh Saheb remained in power till he passed away and during those eight years, he did not send a single proposal saying that these things should be added or these things should be deleted. There were two or three Cabinet Committees which were set up, but there was not anything worth mentioning. Has anybody talked about them?

I had myself put a question in the Parliament to put it in the records of the Rajya Sabha when I was there. I asked: kindly let me know whether any proposal was received from the State Government for adding to the powers which were there three or four years back'. The answer was 'nil'. No such proposal was received. I have got the number of the question and everything. No proposal was received either during Sheikh Abdullah's time or during Farooq Abdullah's time. So, what are they talking about? Then they are saying that India is eroded the autonomy, the Union is eroding the autonomy Where is the question of eroding? This type of disinformation which is compounded by the statements which are being made on behalf of the Union such statements created all the problems.

Now, when the hon. Defence Minister goes there, he says that he would introduce a Bill to give maximum autonomy. You just cannot understand how much the morale of the Services was downed by this observation When those gentlemen people from Kerala, people from Tamil Nadu whether they belong to C R P F or B S.F or Army—who are fighting there for several years in minus ten degrees temperature, staying in the trenches, come to know that Kashmir is going to get everything short of Azadi then they will certainly ask questions (I have been asked these questions) why then are we fighting? Why are we being put to all these inconveniences? Why are we suffering so many casualties? If that is the attitude, it will be difficult to keep morale. In this connection, I cannot forget that there will be any more unfortunate statement than that is made by the former Prime Minister, Shri Narasimha Rao. When Chrar-e-Sharief was burnt and our Army was not allowed to operate from the very beginning in the manner they consider appropriate, they were asked to stay two or three kilometers away Chrar-e-Sharief was burnt. Even at that time I remarked that you blame Mast Gul, it is all right; you blame Pakistan, it is all right But you cannot escape the blame because you have facilitated the burning of the Chrar-e-Sharief. One has done by commission and the other has done it by omission You cannot escape from responsibilities for it What was most tragic was the statement which the then hon. Prime Minister made at that time, after the burning of the Chrar-e-Sharief, on 21st May, 1995 He made a statement, 'I see light at the end of the tunnel, short of *Azadi* I can consider everything' What is this? This great Union of India, after suffering such a loss of prestige saw that Mast Gul escaping who even held conferences on our soil, and gave T V interviews on our soil and then went to POK and get a heroic welcome At that time the Indian Prime Minister was made a statement that 'I see light at the end of the tunnel' What type of nation

do we want to build? This is the issue and the then Prime Minister said that short of *Azadi* he was prepared to consider everything. What does it mean? Dr. Shyama Prasad Mukherjee put a question to Panditji. At that time, he said, Panditji, "Forget about the differences that we have got and tell me, do you consider Kashmiris as Indians first or Kashmiris first or do you consider them only Kashmiris, Kashmiris and Kashmiris and not Indians?" Panditji never gave any answer. I would like to put the same question today to the Hon. Minister, to the Government. Do you consider Kashmir as a part of the Indian region or not? Is the 'Kashmir to Kanyakumari' and empty rhetoric or a reality? We must understand this. We must define our identity - our civilizational and cultural identity. Why are we not doing so? If you want to see the best of Indian culture, the best of Indian civilization, you have to see it in the ruling of Kashmir. The relationship between Kashmir and the rest of India is not beginning from 1947, it is more than 5000 years old. It is a relationship of mind and soul and it is a relationship that has been fertilised by the sacrifices of our youth in 1947, in 1965 and in 1971. We all have forgotten the blood that has been spilled by our youth in defence of Kashmir and today we are saying that short of *azadi* we are prepared to consider everything.

What is good for the Muslims of Delhi, what is good for the Muslims of U.P., why is it not good for the Muslims of Jammu and Kashmir? Why can they not be governed by the same laws there what Muslims are governed elsewhere? How does it affect the Kashmiri commonman? and everyone over rest of India?

SHRI M.P. VEERENDRA KUMAR (Calicut) What about Himachal Pradesh?

SHRI JAGMOHAN : I will come to that also. Earlier, dear Mr Rao said something about 371A or 371G and I shall come to that also. The question that I am asking is, in 1986, this hon. Hose passed a law saying that misuse of religious places would not be allowed. It was sent to Jammu and Kashmir. They said that they would not accept it. Now, the issue that arises is the misues of religious places. The most misuse of religious places has taken place most in Jammu and Kashmir and you do not want to extend such laws there and create all sort of insurgency. What is there in Article 25 to Article 30 of the Indian Constitution? They give all protection to religious and cultural minorities The same Articles can give protection to Jammu and Kashmir Muslims. Why can it not be so? Our Supreme Court has been more liberal than anyone else in giving the interpretation and protection. We are ourselves creating separatist psyche. Article 370 has been disintegrative from the very beginning because it creates a feeling that they are something different. I have given you many examples by which it has been used, not for the benefit of the people, but for the exploitation of the poor and to build a callous and corrupt oligarchy. This is the issue in Kashmir.

Our friend has reminded me that there is some sort of a restriction in Jammu and Kashmir and Himachal Pradesh on land purchase. I would like to remind you, Sir, that these restrictions are based on reasonable grounds and they are subject to Constitutional scrutiny by the courts. If I am denied something which is unreasonable, than I can always knock the door of the court and the Collector will give me the permission. Those laws are meant to protect land alienations whereas in Jammu and Kashmir, there is an absolute bar because of Article 370 and separate Constitution.

MR. CHAIRMAN : You have taken half-an-hour. One more speaker is there from your party.

SHRI JAGMOHAN : Let me take five to ten minutes more. Since he has raised the point, I would like to answer. There is a world of difference between the two provisions. On that day, hon. Mr. Rao said what about Articles 371A, 371G? May I ask whether he considers Kashmiris to be tribals whose customs need to be protected by a provision like this? Do those States have separate Constitution and separate flags? Does Nagaland have a separate Constitution?

SHRI M.P VEERENDRA KUMAR . Can anybody buy property in Himachal Pradesh?

SHRI JAGMOHAN . One can buy it with the permission Everywhere, there are land alienation laws. Anyhow, I am not here to defend certain State laws; my only point is that there is a world of difference between the two.

My distinguished senior colleague Mr. Barnala is here. Now since you are reminding, let me give an example. Twelve thousand Sikh families came to Jammu and Kashmir in 1947 due to riots. Their properties were burnt on the other side. Their families were looted. They came to Jammu and Kashmir. They settled there because they had no other option. It was a refugee problem Though so many years have passed since 1947, yet those 12,000 families, their children, their grand-children do not have citizenship right in Jammu and Kashmir. Their children cannot get admission in any of the professional colleges They cannot even get loan from rural cooperatives.

They cannot participate in the State elections or the local body elections. This country has been fighting for the rights of the Palestinians and the South Africans whereas in our own country we have denied the citizenship right and human rights to thousands and thousand of people who came here because of the compulsion of riots and compulsion of circumstances. This is what the invidious distinction between the two is. I have cited case in my book and I can cite it again. If a girl from Jammu and Kashmir commits a sin of marrying to an Indian in Delhi, she is denied property rights. I have cited a case in which a girl - a citizen of Jammu and Kashmir - sought admission in the MD class after doing M.B.B.S., but she was denied admission on the ground that in the intervening period she had married a friend of her in Delhi. That college is financed 100 per cent with the Indian taxpayer's money. But the admission there is denied because of Article 370 and because of separate Constitution. We are living with such laws which are antiquated and which are totally unjust. And what are we doing? We are always talking about empowering the women We want to give them 30 percent reservation in Parliament But what about these women's rights? The entire money is paid by us My submission is that kindly have a deeper look into all this before talking about maximum autonomy because it will give wrong signals You are creating problems for another 50 years. You are sending ripples of disarray and disruption not only to Jammu and Kashmir but to the rest of the country Tomorrow, if similar demands are made by others how are you going to deal with them Again I would refer to Dr. Shyama Prasad Mukharjee He had warned that if you want to allow this, you will suffer and you will be playing into the hands of those who are saying that India is not one nation but a combination of nationalities

15.49 hrs.

(Mr Speaker *in the chair*)

Kindly do not send those signals. I would have dealt with the American interest in Jammu and Kashmir but there is no time. When we go to the United States, it is a melting point for them But in India, it will be ethnicity It is everything else Regional variations are there and therefore we could disintegrate. Kindly do not create problems for the future. Even about Article 370, I must request most earnestly that do not state on you old stand Sardar Patel had made it very clear When V Shankar asked Sardar Patel as to why he was agreeing to the draft (of article 370) against his own conviction, Patel replied by saying that Panditji had asked him to do so and he would have to abide by that. But Patel said that 'neither article 370 nor Sheikh Abdullah is permanant. What is permanent is the people of India and if the people of India have no guts to change it later on, we do not deserve to be called a nation'. If you feel that Article 370 has caused a pernicious influence, created separatist psyche, brought in subversion and terrorism in Kashmir, caused so much of bloodshed, then do not hesitate to remove it. We have Article 355 of the Indian Constitution which says that 'it is the duty of the Indian Parliament to protect the States', and our experiences during the last so many years, particularly during the last seven years, is that Article 370 has facilitated external aggression, it has facilitated internal rebellion. Article 355 is a paramount Article, Kindly discharge your duty to stop this internal reballion and external aggression We ourselves say that Pakistan is waging a proxy war. If it is a proxy war, then you will have to ensure that Article 370 which is facilitating this war is abrogated. Do you think that our Indian Constitution is not fair enough? It is fair enough; it can give adequate protection to Jammu and Kashmir If you want to solve the problem for all times to come, kindly agree to this abrogation and stop this talk about maximum autonomy and other type of autonomy because that will ruin us We must understand that there is a difference between an autonomy that leads to speedy development, that leads to efficiency and there autonomy that leads to subversion, terrorism, and separatism I am all for the first type of it Sarkaria Commission has made a recommendation, follow it everywhere else, follow it, give it, let there be as much decentralisation as possible But do not create separate identities, do not create a separatist psyche because it will feed subversion and terrorism. There will be no end to it One thing will lead to another I can warn you that it is not going to end in the Valley What about Jammu region what about Ladakh's expedition? There are so many other variations, their are Ladakhis in the state there are Hindus within it and there are Muslims within it Even ethnically, Jammu is not one entity You will have many many more claims, such claims will come to you and you will never be able to resolve them, and it is not in the interest of the common man. You yourself, Sir, as Prime Minister, laid emphasis on development. Let us concentrate our energies on development because everyone, the common man, would benefit by this. Let us remove ignorance and disease What we are doing is that we are wasting our energies on ethnicity on separate identities. This autonomy, which has no meaning, will not give any relief to the people, but cause

immense harm to the people in the long-term as well as in the short-term not only in the valley or the state but elsewhere like the North-east. It has its own repercussions.

Thank you very much. I have taken more time.

RE: QUESTION OF PROPRIETY OF PRE-BUDGET HIKE IN ADMINISTERED PRICES OF PETROLEUM PRODUCTS — Contd.

[English]

MR. SPEAKER : Thank you. I think we are aproaching 4 o'clock. Hon. Members, in the morning, I had informed the House that we have received a large number of notices under Rules 56, 184, 193 and 197 on the issue of price rise on petroleum products. In the beginning, I did say that I would like to be guided by the House as to which road we should take because there is unanimity in the House that this is a serious matter and we should have a full debate, discussion on this issue. Somehow, I had the impression that the House expected me to give the ruling at that particular moment and that I had given the ruling without hearing the House. I am sorry for that. That is the reason why when we assembled here again after the lunch, I thought that I must hear the Members on this issue. I have heard the Members on this issue. Various viewpoints have been expressed and when I gave the ruling in the morning, it is not that I had just given the ruling without applying my mind, without going into the precedents. I had very categorically mentioned that I had gone through the precedents in the past and my ruling was based on the past practice. I am grateful to the hon. Members who agree that it will not be a good precedent that the Speaker, after having given a ruling on a particular issue, should review that particular ruling. Quite a number of members have expressed their views. I am grateful to all of you. At the same time, this is such an issue which is agitating the minds of the hon Members and the people of India and, I am sure, the Government will take this matter very seriously. They will take cognisance of the feelings of the members and the feelings of the people of India who are affected by this decision and I would expect the Government to apply its mind very carefully on this, particularly after listening to the hon Members. But since I have taken a decision in the morning and given a ruling, I do not think it is advisable for us to review that ruling. So, we shall have discussion under Rule 193.

SHRI HARIN PATHAK (Ahmedabad) : No, We are answerable to the people. Why has this price hike been made? We want a discussion on that..*(Interruptions)*

SHRI SOMNATH CHATTERJEE (Bolpur) : It is an affront to the Chair. Is this the way of discussing things?

15.58 hrs.

At this stage, Shri Harin Pathak and some other hon. Members came

MR. SPEAKER : This is your House, you do whatever you want to do. But I am sitting here up to 6 O'clock.

(Interruptions)

[Translation]

MR. SPEAKER : I am not going to adjourn the House. I am sitting here upto 6 O'clock.

[English]

I am sorry, this is not the way.

...(Interruptions)

SHRI SOMNATH CHATTERJEE : This is too much. There is a limit to eveything. Your decision is being challenged in this manner..*(Interruptions)*

MR. SPEAKER : May I sincerely appeal to all of you that we are the custodians of democracy; we are the custodians of this House.

(Interruptions)

MR. SPEAKER : This is not correct.

(Interruptions)

MR SPEAKER : It is not correct.

(Interruptions)

MR. SPEAKER : Please cooperate.

(Interruptions)

MR. SPEAKER : I think, it is enough.

(Interruptions)

MR. SPEAKER : What do you think of Parliament?

(Interruptions)

MR. SPEAKER : Is this the Parliament of India?

(Interruptions)

MR. SPEAKER : May I appeal to you? Please resume your seats.

(Interruptions)